

APPENDIX A

UNITED STATES V. Fischback
Case No. 22CR318

Letters in Support

September 9th, 2022

To Whom it May Concern,

My dad has always been my biggest hero. One of my favorite qualities about him is he never fails to be there for me in a time of need. Rarely, I've called him and he doesn't answer, and if he can't answer he sends a text right away letting me know he'll call back (it's also the reason he's been my emergency contact on any form I've ever filled out). Some of my best qualities are those from him; kind-hearted, always willing to go the extra mile to help someone in need, compassionate and empathetic.

I know he has struggled in the past, just as I have. Growing up, it was difficult at times after his divorce from my mom. He did the best he could as a single parent with two kids, but it wasn't easy for either him or my mom. He got remarried shortly after to our stepmom who didn't turn out to be the person we thought she was. She was controlling, manipulative, and mentally and emotionally abusive. I didn't go to their house during my freshman year of high school because she convinced my dad I stole her diamond ring. I knew my dad never thought I did what she was accusing me of, but there was no arguing or winning with her. When we talked again after that year, my dad and I were at my brother's little league game. I asked him about getting a divorce from Kara and he said he didn't want to teach Chad and I that divorce was always the answer as he had already been through it with our mom.

Seven years after that conversation was when my dad came to me and told me he was getting a divorce from Kara. Life changed after that. I saw a version of my father that I had never witnessed yet. He was happy, he went on a solo hiking trip up a mountain, he went to therapy, his relationship with my uncle was forming again, he met someone who allowed him to be himself and accepted him for that.

He has a new wife Jen who I know adores him, and they are very happy. My relationship has grown even stronger with my dad over the years. He's continued to encourage and support Chad and I's dreams, even if they don't look the same as his did at our age. He's always wanted better for us. It's the reason I had the courage to move to California and am happier than ever. He supported that dream enough to be the person to get on the plane and move me out. Even though we live miles apart, we talk regularly and he continues to help guide me through life decisions. My dad may not have been perfect growing up, but I know he did the best he could with what he had and that's what I appreciate more than anything.

Amanda

A handwritten signature in dark ink that reads "Amanda Fiedler". The signature is written in a cursive, flowing style with a large initial 'A'.

Sept 2, 2022

To whom

Just want to tell a little bit about my dad, He and I have a great relationship and work together.

He was a good father when I was growing up but I know there were issues. His wife wouldn't let him spend time as much time with me as I think he wanted. She was very controlling and kept us apart and it was a pretty stressful time for me and I am sure him.

He was though always helping me and protecting me. I have learned over the years to be a better person by the examples he showed me. He cared and loved us and tried to make our childhood as good as it could be.

Things have changed since his divorce, we are closer than ever before, and I moved from Ohio to be with him in business in North Carolina. I have a lot to learn and he is showing me. I notice too how caring and understand he is with his employees. He treats everyone with kindness and respect and treats them as if they are family. I hope to continue working with him and learning from him.

Chad Fischback

A handwritten signature in black ink, appearing to read "Chad Fischback", written over the printed name.

August 30, 2022

To whom it may

In reference to Doug Fischback, He bought H5 Construction a year ago. In that time, I have been working for him as his Operations Manager.

He has taken H5 to a new level as far as business. He came in with an insight of how a reputable company should operate and has invested the resources to make that happen. Buying new equipment, and hiring new employees with the proper skills to enable to produce a product that seems unmatched in our area.

He seems to always make the proper judgements and is very fair and ethical with his customers and employees. He is truly a good person at heart. He has offered employee's help, financial help when they have been down, has given others a second chance after they have had problems with drug abuse. He is truly a good person and happy to associate with him.

Sincerely

A handwritten signature in cursive script, appearing to read "Bill Brasili".

Bill Brasili
H5 Construction Services, LLC
218A Mount Pisgah Rd.
Supply, NC 28462

(910) 880-4381
billb@h5constructionllc.com

Jeffrey A Janosik
1056 Chatham Pl
Rocky River OH 44116

August 30, 2022

To whom it may concern

This is a reference for Douglas J Fischback who I have personally known for over 20 years. His two children went to school with my oldest Daughter and Son, so we got to know each other through little league and football games. I've long regarded Doug as a very dear friend and although he has moved to North Carolina I talk with him quite often as I also have a professional relationship with him as his accountant for his new business venture.

Doug is very good construction manager/contractor who is very diligent, hardworking and talented. He is of good moral and ethical character and is able to the "right" thing when dealing with tradesman, clients and employees.

He has moved to North Carolina and purchased the assets of a small marine construction company. The company was doing about \$500-700k in sales per year, had no employees and an even less of a reputation. Since buying in mid-July he has surpassed all of his projections. He employees eight full time workers as well as other contractors in this growing area of North Carolina.

He has a reputation as a caring and fair employer as well as a forthright owner of a solid construction company that customers rave about.

He is, as is said, "One of the good guys."

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Janosik', with a stylized flourish at the end.

Jeffrey A Janosik
216 469-4042
jeff.janosik.cpa@gmail.com

Aug 31, 2022

To Whom It May Concern,

It all began in early February 2018, on a Friday night. Doug and I met and I immediately knew that he was a great person who cares deeply about his children and family. Doug supported my parenting preferences of keeping my personal life separate from my children. Doug was never judgemental about the type of home I lived in nor my financial debts incurred from my previous marriage. I have never been so happy to meet a high quality person in my life. I will be forever in love with him and cherish every hour and day that we spend together. I have admired Doug for always being open and honest with me. I hope I have helped him be the person that he is today.

Not because of the way Doug made me happy by just being present on a regular basis, but mostly I fell in love with the sad way he smiled, the expressions on his face when he shared stories about his previous marriage and the toll it took on him as well as his children. The way he spoke to me about his children was heart melting. There was a loneliness within Doug that he could not disguise. I knew that in some way it matched my loneliness. Although I knew his sadness was deeper. I fell madly in love with him!

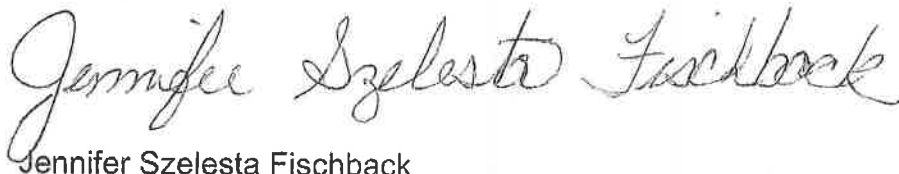
His children have shared with me that they admire him and look up to him. His son, Chad, has left his mother's home in the Cleveland area to work with Doug at H5 Construction.

Recently, Doug supported my resignation from teaching. It was scary for me but I knew my happiness is about being with him on a daily basis. We both know that being together is far more important than the income I will no longer be earning. Doug has been encouraging to me as I hope to pursue a new career in NC. I was also recently asked to take in a 3 month old who needed extra care while his parents are attempting to get clean. Doug is willing to sacrifice his weekends, evenings, and sleep, to allow me to do this. All because he has never been selfish!

At work, when I am at H5 Construction, Doug is imbued with creativity and leadership. Everyone that meets him looks up to him for his encouragement, management, support and delegatory skills. He is highly respected because of his warm personality and organizational skills. His strong leadership has been really impressive at H5 Construction, his newly owned business, wherein he is proving to be quite resourceful and successful already growing the company in a little less than 1 year. Doug always motivates others around him and is very focused on the deadlines. Doug is a great listener when his workers, children, and myself have personal issues.

I am highly confident that Doug is surely invaluable to H5 Construction, and not to mention to me, and my family.

Thank you for your time,

A handwritten signature in cursive script that reads "Jennifer Szelesta Fischback". The signature is written in dark ink and is positioned above the printed name.

Jennifer Szelesta Fischback

Re: Doug Fischback

September 6th, 2022

To Whom It May Concern:

I have known Doug Fischback for the past few years, he is married to my dear friend Jennifer Szelsta. In the time that I have known him, I have come to learn that he is a hardworking and dedicated person. Doug is passionate about everything he does, and is skilled in his work. Doug has been generous and kind to my friend Jennifer, who I will refer to as "Jenn" moving forward. He is always working to help her and her family.

Doug's compassion towards others is easily noticeable. One way that this compassion has been demonstrated as I have seen, is in his actions in helping with Jenn's daughter who has Special Needs. He has working Jenn and her to navigate the challenges that come along the way.

Recently I have the chance to visit and see the business that Doug has taken over. He has worked hard to build on what was already there, and make it a means by which to support Jenn and himself. There is no question that he dedicated to his work and wants to have a business that does things right by the customer.

Doug has always been willing to lend a helping hand. He and Jenn have been supportive of myself and our close group of friends. This support has been meaningful and we all have no doubt in the kindness that he demonstrates. I have always, and continue to hope nothing but the best for both Doug and Jenn. In the time that Jenn has been with Doug, she has shown love for him and he for her. After a long journey, her happiness is now very much evident. Doug is an outstanding guy and I am happy to be able to call him my friend, and someone who you can count on when needed.

Best regards,

A handwritten signature in black ink, appearing to read "Michael Streets".

Michael Streets

Kathryn Winton
602 Wildbrook Drive
Bay Village, Ohio 44140

9/1/2022

Re: Douglas Fischback

To: Whom It May Concern

I have known Douglas for five years. During this time, we have become close friends, as he recently married one of my best friend's and coworker, Jennifer, of over fifteen years. I have come to know Douglas as a very hard worker who takes pride in what he is doing. I witnessed him build a beautiful home in Bay Village for his and Jennifer's family. He has helped Jennifer's parents with fixing up their home, as well as many handyman projects around my own house out of the kindness of his heart.

I have also had the pleasure of meeting his own two children, Amanda and Chad, who I can see love and respect their father. Douglas has a great relationship with both of them, as he is even teaching Chad the ropes of the new business he has taking over in North Carolina. My immediate family and I had the pleasure of vacationing down south this past summer with Douglas, Jennifer and their family, and even on vacation Douglas was constantly working on the job. He is a very dedicated businessman. There are many people that rely on Douglas daily to get the job done.

The characteristic that I admire mostly about Douglas is his support he has for Jennifer and her daughter, Dori, who in the past three years has gone through some serious mental health issues. There have been many people in Jennifer's past that have left her due to her daughter's mental and physical challenges, but Douglas has been nothing but supportive through it all, mentally and financially. Without his support, I am not sure where Jennifer and Dori would be today.

Despite this current case, I can firmly say that I believe Douglas to be a very caring and good human being. I have had many conversations about this situation with him, and I can honestly say that he is remorseful in making this mistake and has worked hard to be able to pay his dues. It is my hope that the court takes this letter into consideration at the time of sentencing.

Sincerely,


Kathryn Winton